

SB 241 (Runner) - Cal Code Update

Changes effective as of 10-11-09

Cal Code Section	What's New
113733 Def. "Acute Gastrointestinal Illness" <i>Revised</i>	- "Acute gastrointestinal illness" means a short duration illness most often characterized by either of the following , which are known to be commonly associated with the agents most likely to be transmitted from infected food employees through contamination of food:"
113735 Def. "Approved Source" <i>Revised</i>	"Approved source" means a food source allowed under Article 3 (commencing with Section 114021) of Chapter 4, or a producer, manufacturer, distributor, or food facility that is acceptable to the enforcement agency based on a determination of conformity with applicable laws, or, in the absence of applicable laws, with current public health principles and practices, and generally recognized industry standards that protect public health.
113747.1 Def. "Cold Water" <i>New</i>	"Cold water means potable water that is not heated by an auxiliary method or source". <i>114163 – Food Preparation Sinks</i> <i>114192 – Approved Water Supply</i> <i>114326 – Commissary Requirements</i> <i>114358 – Alternate Handwashing – TFF</i> <i>(new section)114279 – Curbed Janitorial Sinks</i>
113769 Def. "Egg" <i>Expanded</i>	""Egg" means the shell egg of an avian species that includes chicken, duck, goose, guinea, quail, ratite , or turkey, except a balut and an egg product. "Egg" does not include the egg of a reptile species, including an alligator."
113778.4 Def. "Fabric Implement" <i>New</i>	"Fabric implement means a cloth or fabric, including, but not limited to, burlap and cheesecloth, that is used as part of the food process and comes in direct contact with food that is subsequently cooked."
113784 Def. "Food Compartment" <i>Expanded</i>	"Food compartment" means an enclosed space, including, but not limited to, an air pot, blender, bulk dispensing system, covered chafing dish, and covered ice bin , with all of the following characteristics: "(b) All access openings are equipped with tight-fitting closures, or one or more alternative barriers that effectively protect the food from contamination, facilitate safe food handling, while minimizing exposure to the environment."
113789 Def. "Food Facility" <i>Expanded</i>	"FOOD FACILITY" does not include any of the following: "(c)(5)Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code and in the regulations adopted pursuant to that section, that comply with Section 118375, regardless of whether there is a charge for the wine tasting, if no other beverage, except for bottles of wine and prepackaged nonpotentially hazardous beverages, is offered for sale for onsite consumption and no food, except for crackers, is served."

<p>113794.4 Def. "Frozen Food" <i>New</i></p>	<p>"Frozen food means a food maintained at a temperature at which all moisture therein is in a solid state."</p>
<p>113801 Def. "HACCP Plan" <i>Expanded</i></p>	<p>"HACCP plan" means a written document that complies with the requirements of Section 114419.1 and that delineates the formal procedures for following the Hazard Analysis Critical Control Point principles developed by the National Advisory Committee on Microbiological Criteria for Foods. These principles include completion of the following basic steps:</p> <ul style="list-style-type: none"> (a) Completion of hazard analysis identification by identifying the likely hazards to consumers presented by a specific food. (b) Determination of critical control points in receiving, storage, preparation, displaying, and dispensing of a food. (c) Setting of measurable critical limits for each critical control point determined. (d) Developing and maintaining monitoring practices to determine if critical limits are being met. (e) Developing and utilizing corrective action plans when failure to meet critical limits is detected. (f) Establishing and maintaining a recordkeeping system to verify adherence to an HACCP plan. (g) Establishing a system of audits to do both of the following: <ul style="list-style-type: none"> (1) Initially verify the effectiveness of the critical limits set and appropriateness of the determination of critical control points. (2) Periodically verify the effectiveness of the HACCP plan."
<p>113818 Def. "Limited Food Preparation" <i>Expanded</i></p>	<p>"LIMITED FOOD PREPARATION" means FOOD PREPARATION that is restricted to one or more of the following:</p> <ul style="list-style-type: none"> "(a)(1) Heating, frying, baking, roasting, popping, shaving of ice, blending, steaming or boiling of hot dogs, or assembly of nonprepackaged food." "(a)(2) Dispensing and portioning of nonpotentially hazardous food." "(a)(6) Preparing beverages that are for immediate service, in response to an individual consumer order, that do not contain frozen milk products." <p>"LIMITED FOOD PREPARATION" does not include any of the following:</p> <ul style="list-style-type: none"> "(b)(5) Reheating of potentially hazardous foods for hot holding, except for steamed or boiled hot dogs and tamales in the original, inedible wrapper. "(b)(6) Hot holding of nonprepackaged, potentially hazardous food, except for roasting corn on the cob, steamed or boiled hot dogs, and tamales in the original, inedible wrapper.
<p>113821 Def. "Major Violation" <i>Revised</i></p>	<p>"Major violation means a violation of this part that may pose an imminent health hazard and warrants immediate closure or other corrective action".</p>
<p>113831 Def. "Mobile Food Facility " <i>Expanded</i></p>	<p>"(b)"Single operating site mobile food facilities" means at least one, but not more than four, unenclosed mobile food facilities, and their auxiliary units, that operate adjacent to each other at a single location."</p>
<p>113871 Def. "Potentially Hazardous Food" <i>Expanded</i></p>	<p>(a)"Potentially hazardous food" means a food that requires time or temperature control to limit pathogenic micro-organism growth or toxin formation."</p> <p>"(b) "Potentially hazardous food" includes a food of animal origin that is raw or heat-treated, a food of plant origin that is heat-treated or consists of raw seed sprouts, cut melons, cut tomatoes or mixtures of cut tomatoes that are not</p>

113871 Def. "Potentially Hazardous Food" <i>Expanded</i>	modified to render them unable to support pathogenic micro-organism growth or toxin formation , and garlic-in-oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support growth or toxin formation as specified under subdivision (a)." "POTENTIALLY HAZARDOUS FOOD" does not include any of the following: "(c)(3) An air-cooled, hard-boiled egg with shell intact, or an egg with shell intact that is not hard boiled, but has been pasteurized to destroy all viable salmonellae."
113876 Def. "Prepackaged Food" <i>Expanded</i>	"Prepackaged food" means any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, a food facility, or other approved source."
113879 Def. "Produce Stand" <i>Expanded</i>	"'Produce stand" means a permanent food facility that sells, offers for sale, or gives away only produce or shell eggs, or both, except that "produce stand" does not include premises operated by a producer selling or offering for sale only whole produce grown by the producer, or shell eggs, or both, provided that the sales are conducted on premises controlled by the producer."
113915 Def. "Slacking" Removed	
113930 Def. "Temporary Food Facility" <i>Revised</i>	"'Temporary food facility" means a food facility approved by the enforcement officer that operates at a fixed location for the duration of an approved community event or at a swap meet and only as a part of the community event or swap meet.
113932 Def. "Transporter" <i>Revised</i>	"'Transporter" means any vehicle used to transport food pursuant to a prior order from a manufacturer, distributor, retail food facility, or other approved source to a retail food facility or consumer."
113939 Def. "Vermin" <i>Revised</i>	"'Vermin" means cockroaches, mice, rats, and similar pests that carry disease."
113947 Minimum standards of knowledge-general requirements <i>Revised</i>	"(a) The person in charge and all food employees shall have adequate knowledge of, and shall be properly trained in, food safety as it relates to their assigned duties. (b) For purposes of this section, "person in charge" means a designated person who has knowledge of safe food handling practices as they relate to the specific food preparation activities that occur at the food facility."
113949.1 Local health officer notification <i>Revised</i>	"(a) When a local health officer is notified of an illness that can be transmitted by food in a food facility or by an employee of a food facility, the local health officer shall inform the local enforcement agency. "The local enforcement agency may require any of the following measures to be taken... (a)(1) The immediate restriction or exclusion of any food employee from the affected food facility."

	“(a) (3) Any medical evaluation of any employee, including any laboratory test or procedure, that may be indicated. If an employee refuses to participate in a medical evaluation, the local enforcement agency may require the immediate exclusion of the refusing employee from that or any other food facility until an acceptable medical evaluation or laboratory test or procedure shows that the employee is not infectious.”
113949.2 Responsibility of owner <i>Revised</i>	<p>“The owner who has a food safety certificate issued pursuant to Section 113947.1 or the food employee who has this food safety certificate shall instruct all food employees regarding the relationship between personal hygiene and food safety, including the association of hand contact, personal habits and behaviors, and food employee health to foodborne illness. The owner or food safety certified employee shall require food employees to report the following to the person in charge:</p> <p>(a) If a food employee is diagnosed with an illness due to one of the following:</p> <p>(1) Salmonella typhii, (2) Salmonella spp., (3) Shigella spp., (4) Entamoeba histolytica, (5) Enterohemorrhagic or shiga toxin producing Escherichia coli, (6) Hepatitis A virus, (7) Norovirus.</p>
113950.5 Removal of exclusions and restrictions <i>Revised</i>	“(b) Only the local health officer or the local enforcement agency, or both, shall remove exclusions or restrictions, or both, related to diagnosed illnesses due to infectious agents specified in subdivision (b) of Section 113949.1 after the local health officer provides a written clearance stating that the excluded or restricted food employee is no longer considered infectious.”
113778.4, 114118 Fabric Implements <i>New</i>	<p>113778.4. “Fabric implement means a cloth or fabric, including, but not limited to, burlap and cheesecloth, that is used as part of the food process and comes in direct contact with food that is subsequently cooked.”</p> <p>114118. “Fabric implements shall be laundered and sanitized before or after use in direct contact with food.”</p>
113953 Handwashing facilities <i>Expanded</i>	-(c) Handwashing facilities shall be equipped to provide warm water under pressure for a minimum of 15 seconds through a mixing valve or combination faucet. If the temperature of water provided to a handwashing sink is not readily adjustable at the faucet, the temperature of the water shall be at least 100°F, but not greater than 108°F.”
113969 Hair restraints <i>Revised</i>	-(a) Except as specified in subdivision (b), all food employees preparing, serving, or handling food or utensils shall wear hair restraints, such as hats, hair coverings, or nets, which are designed and worn to effectively keep their hair from contacting nonprepackaged food, clean equipment, utensils, linens, and unwrapped single-use articles.”
113976 Preventing contamination when testing <i>Revised</i>	“Unless a utensil used to taste food is discarded after the first time it is used for this purpose and before the next tasting or any other use, the utensil shall be washed, rinsed, and sanitized pursuant to Chapter 5 (commencing with Section 114095) between tastings and before any other use.”

<p>113982 Food transportation <i>Revised</i></p>	<p>“(a)(3) Except as provided in subdivision (a) of Section 113996, potentially hazardous food shall be maintained at the required holding temperatures.”</p>
<p>113984 Food preparation area, protection from contamination <i>Revised</i></p> <p>113984 Food preparation area, protection from contamination <i>Revised</i></p>	<p>“(c) Limited food preparation shall be conducted within a food compartment or as approved by the enforcement agency. Subject to subdivision (g), this subdivision shall not be construed to require an additional food compartment when adding ingredients to a beverage or dispensing into a serving container when the beverage is prepared for immediate service in response to an individual consumer order.”</p> <p>“(e) Overhead protection shall be provided above all food preparation, food display, warewashing, and food storage areas.”</p> <p>“(g) Based upon local environmental conditions, location, and other similar factors, the enforcement officer may establish additional structural or operational requirements, or both, for mobile food facilities as necessary to ensure that foods, food-contact surfaces, and utensils are of a safe and sanitary quality.”</p>
<p>113986 Food and ingredient contamination <i>Revised</i></p>	<p>(a) FOOD shall be protected from cross-contamination by utilizing one or more of the following methods:</p> <p>(1) Separating raw food of animal origin during transportation, storage, preparation, holding, and display from raw ready-to-eat food, including other raw food of animal origin such as fish for sushi or molluscan shellfish, or other raw ready-to-eat food such as produce, and cooked ready-to-eat food in any of the following ways:</p> <p>(A) Using separate equipment of each type.</p> <p>(B) Arranging each type of food in equipment so that cross-contamination of one type with another is prevented.</p> <p>(C) Preparing each type of food at different times or in separate areas.</p> <p>(D) Except as specified in subdivision (b), storing the food in packages, covered containers, or wrappings.</p> <p>(E) Cleaning hermetically sealed containers of food of visible soil before opening.</p> <p>(F) Protecting food containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened.</p> <p>(G) Storing damaged, spoiled, or recalled food being held in the food establishment as specified in Section 114055.</p> <p>(H) Separating fruits and vegetables before they are washed, as specified in Section 113992, from ready-to-eat food.”</p>
<p>113996 Hot and cold holding, potentially hazardous food <i>Revised</i></p>	<p>(c)The following FOODs may be held at or below 45°F:</p> <p>(4) Potentially hazardous foods held for dispensing in vending machines.</p> <p>“(d) Potentially hazardous foods held for dispensing in serving lines and salad bars may be maintained above 41°F, but not above 45°F, during periods not to exceed 12 hours in any 24-hour period only if the unused portions are disposed of at or before the end of this 24-hour period. For purposes of this subdivision, a display case shall not be deemed to be a serving line.”</p>

114002 Cooling Expanded	<p>“(b) After heating or hot holding, potentially hazardous food shall be cooled rapidly from 135°F to 41°F or below within six hours and, during this time the decrease in temperature from 135°F to 70°F shall occur within two hours.”</p> <p>“(e) Pasteurized milk in original, sealed containers, pasteurized milk products in original, sealed containers, raw shell eggs, and unshucked live molluscan shellfish need not comply with subdivision (c) or (d) if these foods are placed immediately upon their receipt in refrigerated equipment that maintains an ambient temperature of 45°F or less.</p>
114004 Cooking temperatures of raw animal foods Expanded	<p>“(a)(3)(C) The following shall be heated to a minimum internal temperature of 165°F for 15 seconds: Stuffed fish, stuffed meat, stuffed poultry, and stuffed ratites.”</p> <p>“(a)(3)(E) Pasta and any other food stuffed with fish, meat, poultry, or ratites.</p>
114021 Compliance with food law Expanded	<p>“(b) Food stored or prepared in a private home shall not be used or offered for sale in a food facility.</p>
114041 Shell Eggs Revised	<p>“(a) Shell eggs shall be received clean and sound.</p> <p>(b) Shell eggs shall not exceed the restricted egg tolerances for United States Consumer Grade B Standards.</p>
114067 Satellite Food Service Expanded	<p>(f) Satellite food service operations that handle nonprepackaged food shall be equipped with approved handwashing facilities and warewashing facilities that are either permanently plumbed or self-contained.</p> <p>“(h) During nonoperating hours and periods of inclement weather, food, food contact surfaces, and utensils shall be stored within any of the following:</p> <ol style="list-style-type: none"> (1) A fully enclosed satellite food service operation. (2) Approved food compartments where food, food contact surfaces, and utensils are protected at all times from contamination, exposure to the elements, ingress of vermin, and temperature abuse. (3) A fully enclosed permanent food facility.”
114067 Satellite Food Service Expanded	<p>“(i) Satellite food service activities shall be conducted by and under the constant and complete control of the permit holder of the fully enclosed permanent food facility, or the duly contracted personnel of, or third-party providers to, the permit holder.”</p> <p>“(j) For purposes of permitting and enforcement, the permit holder of the permanent food facility and the permit holder of the satellite food service shall be the same.”</p>
114089 Labeling Revised	<p>“(c) Bulk food that is available for consumer self-service shall be prominently labeled with either of the following in plain view of the consumer:</p> <ol style="list-style-type: none"> (1) The manufacturer’s or processor’s label that was provided with the food. (2) A card, sign, or other method of notification that includes the information specified in paragraphs (1), (2), and (5) of subdivision(b)
114099.2 Manual warewashing procedures Revised	<p>“(b) The temperature of the washing solution shall be maintained at not less than 100°F or the temperature specified by the manufacturer on the cleaning agent manufacturer’s label instructions or as provided in writing by the manufacturer.”</p>

<p>114099.6 Manual Sanitization <i>Revised</i></p>	<p>Manual SANITIZATION shall be accomplished in the final sanitizing rinse by one of the following: “(b) The application of sanitizing chemicals by immersion, manual swabbing, or brushing, using one of the following solutions:” “(4) Contact with any chemical sanitizer that meets the requirements of Section 180.940 of Title 40 of the Code of Federal Regulations when used in accordance with the manufacturer’s use directions.”</p>
<p>114099.7 Mechanical Sanitization <i>New</i></p>	<p>“Mechanical sanitization shall be accomplished in the final sanitizing rinse by one of the following: (a) By being cycled through equipment that is used in accordance with the manufacturer’s specifications and achieving a utensil surface temperature of 160°F as measured by an irreversible registering temperature indicator. (b) The mechanical application of sanitizing chemicals by pressure spraying methods using one of the following solutions: (1) Contact with a solution of 50 ppm available chlorine for at least 30 seconds. (2) Contact with a solution of 25 ppm available iodine for at least one minute. (3) Contact with any chemical sanitizer that meets the requirements of Section 180.940 of Title 40 of the Code of Federal Regulations when used in accordance with the following: (A) The sanitizer manufacturer’s use directions as specified on the product label. (B) The machine manufacturer’s specifications as provided in the manufacturer are operating instructions.”</p>
<p>114130.6 Materials used in fabric implements <i>New</i></p>	<p>–“Materials that are used in fabric implements shall not allow the migration of deleterious substances or impart colors, odors, or tastes to food and under normal use conditions shall be safe, durable, and sufficient in strength to withstand repeated cleaning or laundering and shall be resistant to fraying and deterioration.”</p>
<p>114159 Food temperature measuring devices <i>Expanded</i></p>	<p>–“(c) Food temperature measuring devices that are scaled only in Fahrenheit shall be accurate to $\pm 2^{\circ}\text{F}$ in the intended range of use. Food temperature measuring devices that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to $\pm 1^{\circ}\text{C}$ in the intended range of use.” “(e) Food temperature measuring devices shall be calibrated in accordance with manufacturer’s specifications as necessary to ensure their accuracy.”</p>
<p>114163 Food Preparation Sinks <i>Revised</i></p>	<p>“(a) Except as specified in subdivision (b), all permanent food facilities that wash, rinse, soak, thaw, or similarly prepare foods shall be provided with a food preparation sink.” “(b) (1) Food facilities that were approved for operation without a food preparation sink prior to January 1, 2007, need not provide a food preparation sink unless the food facility makes a menu change or changes their method of operation.”</p>
<p>114185.5 Use of laundry facilities <i>Expanded</i></p>	<p>“(c) If wiping cloths are laundered on the premises, they shall be laundered in a mechanical clothes washer and dryer or in a warewashing sink that is cleaned and sanitized before and after each time it is used to wash wiping cloths or wash produce or thaw food.”</p>

<p>114252 Lighting Expanded/Revised</p>	<p>...sufficient natural or artificial lighting shall be provided to produce the following light intensity, while the area is in use: “(a) At least 10 foot candles for the following:</p> <p>(1) At a distance of 30 inches above the floor, in walk-in refrigeration units and dry food storage areas.</p> <p>(2) At a working surface on which alcoholic beverages are prepared or where utensils used in the preparation or service of alcoholic beverages are cleaned.</p> <p>(3) Inside equipment, such as reach-in or under-the-counter refrigerators.”</p> <p>“(b)(2) In server stations where food is prepared.”</p> <p>“(b)(4) In all areas and rooms during periods of cleaning.”</p> <p><i>New concepts.</i></p> <p>“(c) Except in server stations where food is prepared, at least 50 foot candles at a surface where a food employee is working with food or working with utensils or equipment such as knives, slicers, grinders, or saws where employee safety is a factor”.</p>
<p>114279 Curbed cleaning facility Revised</p>	<p>-(“(a) At least one curbed cleaning facility or janitorial sink equipped with hot and cold water and a drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.”</p>
<p>114286 Living or sleeping quarters, separation Revised</p>	<p>-(“(b) Living or sleeping quarters located on the premises of a food facility shall be separated from rooms and areas used for food facility operations by complete partitioning. Except for restricted food service facilities, no door or other opening shall be permitted in the partition that separates the food facility from the living or sleeping quarters.”</p>
<p>114295 Operation from a commissary Expanded</p>	<p>-(“(e) Notwithstanding any other provisions of this section, a mobile food facility that is engaged in food preparation, other than limited food preparation, as defined in Section 113818, shall not operate in conjunction with a mobile support unit.”</p>
<p>114306 Single operating mobile food facility New</p> <p>114306 Single operating mobile food facility New</p>	<p>(a) A single operating site mobile food facility is restricted to produce, prepackaged food, and limited food preparation.</p> <p>(b) Notwithstanding Section 113984, a mobile food facility operating within a fully enclosed structure shall not be required to provide a secondary food compartment over food preparation areas.</p> <p>(c) A single operating site mobile food facility that is required to provide warewashing and handwashing facilities shall provide a warewashing sink and handwashing sink per site or operation. A warewashing and handwashing sink contained in a facility to which this subdivision applies shall be conveniently located so as to be accessible during all hours of operation. Additional handwashing sinks may be required pursuant to paragraph (1) of subdivision (b) of Section 113953.</p> <p>(d) Notwithstanding Section 114095, a warewashing sink may be shared by not more than four mobile food facilities operating as a single operating site mobile food facility that is required to provide a warewashing sink, if the sink is conveniently located so as to be accessible during all hours of operation.</p> <p>(e) For purposes of permitting and enforcement, the permit holder of each single operating site mobile food facility location shall be the same.</p>
<p>114311 Handwashing sink requirements Revised</p>	<p>MOBILE FOOD FACILITIES not under a valid PERMIT as of January 1, 1997, from which nonPREPACKAGED FOOD is sold shall provide handwashing facilities. The handwashing facilities shall be separate from the WAREWASHING sink. “</p> <p>(c) This section shall not apply to mobile food facilities handling only whole</p>

	produce or the bulk dispensing of nonpotentially hazardous beverages.”
<p>114313 Warewashing sink requirements <i>Expanded</i></p>	<p>“(a) Except as specified in subdivisions (b) and (c), a mobile food facility where nonprepackaged food is cooked, blended, or otherwise prepared shall provide a warewashing sink with at least three compartments with two integral metal drainboards.”</p> <p>“(a)(1) The dimensions of each compartment shall be large enough to accommodate the cleaning of the largest utensil and either of the following: (A) At least 12 inches wide, 12 inches long, and 10 inches deep. (B) At least 10 inches wide, 14 inches long, and 10 inches deep.”</p> <p>“(b) If all utensils and equipment of a mobile food facility are washed and sanitized on a daily basis at the approved commissary or other approved food facility, and the mobile food facility provides and maintains an adequate supply of spare preparation and serving utensils in the mobile food facility as needed to replace those that become soiled or contaminated, then the mobile food facility shall not be required to provide a warewashing sink to only handle any of the following: (1) Nonpotentially hazardous foods that do not require preparation other than heating, baking, popping, portioning, bulk dispensing, assembly, or shaving of ice. (2) Steamed or boiled hot dogs. (3) Tamales in the original, inedible wrapper.”</p> <p>“(c) An unenclosed mobile food facility that prepares potentially hazardous beverages for immediate service in response to an individual consumer order shall do one of the following: (1) Provide a three-compartment sink described in subdivision (a). (2) Provide at least one two-compartment sink that complies with subdivision (e) of Section 114099.3. (3) Provide a one-compartment sink with at least one integral metal drainboard, an adequate supply of spare preparation and serving utensils to replace those that become soiled or contaminated, and warewashing facilities that comply with subdivision (a) in reasonable proximity to, and readily accessible for use by, food employees at all times.”</p>
<p>114314 Handwashing and warewashing facilities, location <i>Expanded</i></p>	<p>“(b) Warewashing sinks for unenclosed mobile food facilities shall be equipped with overhead protection made of wood, canvas, or other materials that protect the sinks from bird and insect droppings, dust, precipitation, and other contaminants.”</p>
<p>Section Beginning with 114332 <i>Revised</i></p>	<p><i>Changed the heading of the Non-Profit Charitable Temporary Food Facilities section to 10.5 from 13.5</i></p>
<p><i>Revised</i> Alternate handwashing facilities 114358</p>	<p>“(b) Temporary food facilities that handle only prepackaged food and comply with Section 113952 shall not be required to provide a handwashing facility, except as required in Section 114359.”</p>
<p>114371 Facility requirements <i>Revised</i></p>	<p>“(g) Temporary food facilities may be operated as a separate community event adjacent to and in conjunction with certified farmers’ markets that are operated as a community event. The organization in control of the event at which one or more temporary food facilities operate shall comply with Section 114381.1.”</p>

<p>114380 Plan review <i>Expanded/Revised</i></p> <p>114380 Plan review <i>Expanded/Revised</i></p>	<p>“(c) (1) All new school food facilities or school food facilities that undergo modernization or remodeling shall comply with all structural requirements of this part. Upon submission of plans by a public school authority, the Office of the State Architect and the local enforcement agency shall review and approve all new and remodeled school facilities for compliance with all applicable requirements.”</p> <p>“(c)(2) Except when a determination is made by the enforcement agency that the nonconforming structural conditions pose a public health hazard, existing public and private school cafeterias and licensed health care facilities shall be deemed to be in compliance with this part pending replacement or renovation.”</p> <p>“(d) Except when a determination is made by the enforcement agency that the nonconforming structural conditions pose a public health hazard, existing food facilities that were in compliance with the law in effect on June 30, 2007, shall be deemed to be in compliance with the law pending replacement or renovation. If a determination is made by the enforcement agency that a structural condition poses a public health hazard, the food facility shall remedy the deficiency to the satisfaction of the enforcement agency.”</p>
<p>114381 Permits, fees, and posting <i>Revised</i></p>	<p>“(d) Any fee for the permit or registration or related services, including, but not limited to, the expenses of inspecting and impounding any utensil suspected of releasing lead or cadmium in violation of Section 108860 as authorized by Section 114393, review of HACCP plans, and alternative means of compliance shall be determined by the local governing body. Fees shall be sufficient to cover the actual expenses of administering and enforcing this part. The moneys collected as fees shall only be expended for the purpose of administering and enforcing this part.”</p>
<p>114387 Permit required; penalties <i>Revised</i></p>	<p>“Any person who operates a food facility shall obtain all necessary permits to conduct business, including, but not limited to, a permit issued by the enforcement agency. In addition to the penalties under Article 2 (commencing with Section 114390), violators who operate without the necessary permits shall be subject to closure of the food facility and a penalty not to exceed three times the cost of the permit.”</p>
<p>114435, 114436 (Child Day Care Facilities, Community Care Facilities, and Residential Facilities for the Elderly) <i>Removed</i></p>	<p><i>Sections repealed and rolled up into the definition of what is not a food facility in section 113789.</i></p>